

810-5-8-.04 Registration Denial—Mandatory Liability Insurance Law.

(1) If a vehicle owner, or someone authorized to register a motor vehicle on behalf of the owner, informs the license plate issuing official that the vehicle is not insured pursuant to Section 32-7A-4, Code of Alabama 1975, (and the vehicle is not exempt from insurance requirements), the license plate issuing official shall refuse to register the motor vehicle(s).

(2) If a vehicle owner, or someone authorized to register a motor vehicle on behalf of the vehicle owner, fails or refuses to affirm that the vehicle(s) for which registration is being sought is insured, the license plate issuing official shall refuse to register the motor vehicle(s).

(3) If a vehicle owner, or someone authorized to register a motor vehicle on behalf of another, submits a renewal application through the mail without affirmation of insurance, the license plate issuing official shall refuse to register the motor vehicle(s).

(4) In the event someone other than the vehicle owner is authorized to register a vehicle, and that individual does not know if the vehicle is insured in accordance with Alabama law, the license plate issuing official shall refuse to register the vehicle until the authorized individual is able to positively affirm that the vehicle is insured.

(5) In the event that a vehicle owner, or someone authorized to register a motor vehicle on behalf of the vehicle owner, informs that an insurer not qualified to transact business in Alabama insures the vehicle, the license plate issuing official shall refuse to register the vehicle.

(6) In the event that a vehicle owner, or someone authorized to register a motor vehicle on behalf of the vehicle owner, informs that the vehicle(s) for which registration is sought is exempt from insurance requirements pursuant to Section 32-7A-5, the license plate issuing official may require evidence that an exemption is applicable to the vehicle(s), and, if no evidence is provided, the license plate issuing official may refuse to register the vehicle until such evidence of exemption is produced and provided to the official.

(7) If a license plate issuing official denies registration, and subsequently the vehicle owner, or someone authorized to register a motor vehicle on behalf of the vehicle owner, is able to affirm that the vehicle(s) is insured to the satisfaction of the official, then the official may issue the registration. If the delay in registering the vehicle places the vehicle owner into a delinquency situation, the appropriate penalties, interest, etc., must be collected as a prerequisite to the issuance of the registration. Furthermore, if the registration is denied, the vehicle owner may incur law enforcement sanctions if

the vehicle is operated with an expired registration or without registration credentials.

(8) If a vehicle owner, or someone authorized to register a motor vehicle on behalf of the owner, fails or refuses to provide the driver's license state and number for the vehicle owner reflected on the vehicle title, the license plate issuing official shall refuse to register the vehicle as requested. The driver's license number, non-driver's license number, or the federal employer identification number (FEIN) should be captured in the motor vehicle registration database.

(9) License plate issuing officials shall deny registration or transfer of any license plate shown on the listing of vehicle owners whose registrations have been suspended as provided in administrative rule 810-5-1-.237. The license plate issuing official is not authorized to issue a new license plate or replacement license plate to the vehicle.

(10) License plate issuing officials shall deny registration to any vehicle owner who attempts to avoid the registration suspension and payment of reinstatement fees by transferring vehicle ownership to another entity, such as a corporation or one's spouse or dependent,

(11) The decision by the license plate issuing official to deny registration which has been suspended by the Department for failing to maintain motor vehicle liability insurance may not be appealed. This is because the vehicle owner had already been afforded the opportunity to appeal the decision by the Department to suspend the registration as provided under Section 32-7A-3(d), which allows the owner a 30 calendar day period to appeal a suspension "after the rendition of any suspension."

(12) In the event it is determined that a vehicle owner, or someone authorized to register a motor vehicle on behalf of the vehicle owner, provides an affirmation of insurance when the vehicle is not insured, the vehicle owner, upon conviction, may be subject to the sanctions of Section 40-12-8 for "knowingly making a false affidavit or certificate in connection with...anything in this state for which a license is required...."

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